



Memphis and Shelby County Land Use Control Board

CITY HALL 125 NORTH MID AMERICA MALL MEMPHIS, TENNESSEE 38103-2084 (901) 576-6619

(Please visit our web site at: <http://www.dpdgov.com>)

SCHEDULE

MAY 10, 2007

- 8:30 A.M. EXECUTIVE SESSION City Council Conference Room 5th Floor
- 10:00 A.M. MORNING PUBLIC SESSION City Council Chambers, Lobby
Subdivision Correspondence
Subdivisions, Street & Alley Closures
Street Dedications, Street Name Changes
Planned Development & Zoning Correspondence
Site Plan Reviews, Zoning Map Amendments & Zoning Text Amendments
Comprehensive Plan Adoption
- 12:00 Noon* LUNCH
- 1:00 P.M.* AFTERNOON PUBLIC SESSION City Council Chambers, Lobby
Planned Developments,
Special Use Permits,
Zoning Map Amendments
Zoning Text Amendments

*Time Approximate

Conflict of Interest Statement:

The adopted policy of the Land Use Control Board requires that any member of the Board recuse himself / herself from any participation in the discussion or voting on any matter on the meeting agenda in which he / she has a direct or indirect personal interest. The member shall vacate his / her seat during deliberation on any matter from which he / she has recused himself / herself.

General Order in Which Public Hearings Will Proceed:

1. The Chairman will open the Public Hearing by calling the Agenda item number and application Case Number as it appears on the agenda.
2. The OPD staff will explain the nature of the application and will present an analysis of it and the staff recommendation.
3. The applicant and proponents will be heard for a period not exceeding five (5) minutes.

4. The opponents will be heard for a time period not exceeding five (5) minutes.
5. The applicant will be given a two (2) minute period for rebuttal.
6. Board members proceed to discuss the application amongst themselves and may request clarification of certain points from staff or persons in the audience who spoke previously.
7. The Land Use Control Board will then vote to approve, approve in modified form, deny, or continue (hold) the application until a subsequent meeting.
8. The Board Chairman will then inform the audience of the outcome of the Board's action.

RIGHT TO APPEAL:

Any individual appearing or submitting written comments at the Land Use Control Board (LUCB) meeting, or any governmental body submitting comments may appeal the decision of the Land Use Control Board to the appropriate governing body(ies), i.e. Memphis City Council and/or Shelby County Commission. Appeals should be submitted within 10 working days of the Land Use Control Board action to the Chief Administrative Officer of the City of Memphis (Keith McGee, Jr.) and/or of Shelby County (John T. Fowlkes) with a copy of same to Mary Baker, Deputy Director for the Office of Planning and Development (OPD). This applies only to preliminary subdivision and correspondence applications. The balance of all of the other items heard on today's agenda are automatically forwarded to the City Council and/or County Commission for final action.

If you choose to file an appeal please be aware of the following additional requirements in order to make your appeal valid:

The request for an appeal shall: 1) indicate the name and case number of the application, 2) the date of the L.U.C.B. action, 3) the specific decision and/or conditions approved by the L.U.C.B. which are being appealed, 4) your suggested remedy, and 5) the name, address and phone number of the appellant. Please note that public hearing notification fees of \$50.00 are required to be paid to the City Council Records Office and/or the County Minutes Office, and \$100 to OPD. These fees should accompany your letter of appeal copied to OPD.

John Fowlkes, CAO
Shelby County
160 North Main Street
Memphis, TN 38103

Keith McGee, Jr., CAO
City of Memphis
125 North Main Street
Memphis, TN 38103

Mary Baker, Deputy Director
Office of Planning & Development
125 North Main Street, Suite 468
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AGENDA

10:00 A.M. MORNING PUBLIC SESSION

- A. ROLL CALL
- B. SECRETARY'S REPORT
- C. CONSENT AGENDA Items # 1-11 & 12-20

Agenda items # 1-11 & 12-20 comprise the various applications pertaining to land subdivision and zoning to be heard this morning as part of the Consent Agenda. The Board will act on all of these items as a group with one vote subject to the recommendation of the Office of Planning and Development in its Staff Report--rather than vote on each item separately. This also applies to items which otherwise involve a public hearing where notice was sent to adjacent property owners. Such action satisfies the legal requirements for holding a public hearing so long as no one wishes to speak either for or against an item listed as being on the Consent Agenda.

If Board Members or persons in the audience wish to discuss any item, that item is pulled from the others for separate discussion and vote by the Board and the remaining items are voted on as a group. If you desire to speak in regard to an application listed as being part of the Consent Agenda, please come to the podium at the front of the chamber and notify the Board Chairman of the Agenda Item Number after the Consent Agenda and staff recommendation for this morning's applications have been read.

Please fill out an Attendance/Speaker's Card and hand it to an OPD staff member sitting behind the railing in the front of the chamber if you intend to address the Board in regard to any item found on today's Agenda. Cards may be found at the speakers podium and at the Sergeant At Arms table. If you decide to speak, please start by giving your name and street address, then tell the Board of your concern. If there are several in your area with similar concerns, you may appoint a spokesperson. The Board is particularly interested in the specific reasons you are for or against a proposal.

If you are attending the meeting on a specific agenda item but do not wish to speak it is requested that you nonetheless fill out an Attendance/Speaker's Card so that your attendance may be recorded at the meeting. This is necessary in order to preserve your right to appeal the decision of the Land Use Control Board to the City Council and/or County Commission for applications regarding preliminary subdivision applications and most planned development and zoning correspondence applications on today's agenda.

CORRESPONDENCE APPLICATIONS

1. **CASE NUMBER:** **S 02-056 CC**

DEVELOPMENT NAME: **BIG ORANGE SUBDIVISION**

 LOCATION: Northwest corner of Big Orange Road and Cordova Park Road

 APPLICANT: Big Orange Subdivision

 REPRESENTATIVE: S.R. Consulting, LLC – Cindy Reaves

 EXISTING ZONING: Heavy Industrial (I-H) & Heavy Industrial Flood Plain
 (I-H{FP}) Districts

 REQUEST: Two-year Time Extension for the approved preliminary plan

 PROPERTY SIZE: 6.13 Acres

2. **CASE NUMBER:** **S 01-035**

DEVELOPMENT NAME: **MITCHELL RIDGE SUBDIVISION**

 LOCATION: South side of Mitchell Road; ±466 feet east of Horn Lake Road

 APPLICANT: Harold Buehler, Sr.

 REPRESENTATIVE: Solomito Land Planning – Brenda Solomito

 EXISTING ZONING: Single Family Residential (R-S6) District

 REQUEST: Two-year Time Extension for the approved preliminary plan
 for 144 lots for new single family lots

 PROPERTY SIZE: 37.18 Acres

DEFERRED APPLICATIONS

3. **CASE NUMBER:** **S 07-007**

DEVELOPMENT NAME: **BRANTFORD ROAD SUBDIVISION**

 LOCATION: Southwest corner of Brantford Road and Yates Road

 APPLICANT: Robert and Nancy Stephenson

 REPRESENTATIVE: Solomito Land Planning – Brenda Solomito

 EXISTING ZONING: Single Family Residential (R-S10) District

 REQUEST: 4 Lots to be developed with single family homes

 PROPERTY SIZE: 1.27 Acres

4. **CASE NUMBER:** **S 07-012 CO**

DEVELOPMENT NAME: **CASCADES OF COLLIERVILLE SUBDIVISION**

 LOCATION: West of Fleming Road; ±2,640 feet south of Holmes Road

 APPLICANT: Vanecia Kimbrow

 REPRESENTATIVE: McCaskill Consultants

 EXISTING ZONING: Agricultural (AG) District

 REQUEST: 7 Lot Preliminary Plat

 PROPERTY SIZE: 21 Acres

NEW APPLICATIONS

5. **CASE NUMBER:** **SAC 07-603**
- STREET NAME:** **KENTUCKY STREET CLOSURE**
- LOCATION: Extending north and south; between W. Carolina Avenue and Railroad Avenue
- APPLICANT: Newsom Enterprises, LLC
- REPRESENTATIVE: Homer Branan, III
- EXISTING ZONING: Bluffview Residential (R-B) District
- REQUEST: Close & Vacate Street Right-Of-Way
- AREA OF R.O.W.: 10,800 square feet
- LENGTH x WIDTH: 30' x 360'
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6. **CASE NUMBER:** **SAC 07-604**
- STREET NAME:** **GALLOWAY AVENUE**
- LOCATION: Between N. Dunlap Street and Leath Street
- APPLICANT: Southern Steel Supply Company
- REPRESENTATIVE: Barge Waggoner Sumner & Cannon, Inc.
- EXISTING ZONING: Light Industrial (I-L) District
- REQUEST: Close & Vacate Street Right-Of-Way
- AREA OF R.O.W.: 2,345 square feet
- LENGTH x WIDTH OF R.O.W.: 10.2 x 232' feet

NEW APPLICATIONS

7. **CASE NUMBER:** **SAC 07-605**
- STREET NAME:** **MERTON STREET CLOSURE**
- LOCATION:** Beginning ±151 feet south of Calvert Street; extending to Peres Avenue
- APPLICANT:** Goodwill Villages, LLC
- REPRESENTATIVE:** James Carmichael
- EXISTING ZONING:** Multiple Dwelling Residential (R-MM) District
- REQUEST:** Close & Vacate Street Right-Of-Way
- AREA OF R.O.W.:** 28,758 square feet
- LENGTH OF R.O.W.:** 50' x 537' feet
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8. **CASE NUMBER:** **SNC 07-801**
- STREET NAME:** **OLD E. SHELBY DRIVE TO SHELBY PORT ROAD**
- LOCATION:** Beginning ±688 feet east of Woodlawn Lane; extending to Byhalia Road
- APPLICANT:** Town of Collierville
- REPRESENTATIVE:** Solomito Land Planning – Brenda Solomito
- EXISTING ZONING:** Agricultural (AG) District
- REQUEST:** Street Name Change
- LENGTH:** 2,930 feet

NEW APPLICATIONS

9. **CASE NUMBER:** **S 07-009 CO**

DEVELOPMENT NAME: **AVILLA SUBDIVISION**

LOCATION: West side of Reid Hooker Road; \pm 1,325 feet north of Glen
Birmingham Road

APPLICANT: Boyle Investment Company

REPRESENTATIVE: Fisher & Arnold, Inc.

EXISTING ZONING: Agricultural (AG) District

REQUEST: 15 lot development for new single family homes

PROPERTY SIZE: 42,558 Acres

10. **CASE NUMBER:** **S 07-015**

DEVELOPMENT NAME: **I-40 INDUSTRIAL SUBDIVISION**

LOCATION: North side of Macon Cove; \pm 60 feet west of McRee Street

APPLICANT: 1699 Airways Warehouse, LLC

REPRESENTATIVE: Fisher & Arnold, Inc. – Jud TePaske

EXISTING ZONING: Light Industrial (I-L) District

REQUEST: Preliminary Plat Approval for “3” Three Lots

PROPERTY SIZE: 6.52 Acres

NEW APPLICATIONS

11. **CASE NUMBER:** **S 07-016**

DEVELOPMENT NAME: **TOMBLIN HOMES SUBDIVISION**

LOCATION: West side of Alexander Street; \pm 148.3 feet north of Southern Avenue

APPLICANT: Tomblin Homes, LLC

REPRESENTATIVE: Solomito Land Planning – Brenda Solomito

EXISTING ZONING: Single Family Residential (R-S6) District

REQUEST: 2 Lot Preliminary Plat

PROPERTY SIZE: 0.45 Acre

PLANNED DEVELOPMENT CORRESPONDENCE APPLICATIONS

12. **CASE NUMBER:** **P.D. 94-330**

DEVELOPMENT NAME: **I-40/GERMANTOWN PARKWAY PLANNED DEVELOPMENT**

LOCATION: North side of New Brunswick Road; \pm 1,380 feet southwest of Highway 64

APPLICANT: Wolfchase Hotel Associates, LLC

REPRESENTATIVE: E.T.I. Corporation

REQUEST: Site Plan Approval for a Holiday Inn Hotel & Suites containing 133 rooms and six stories in height

EXISTING ZONING: Currently governed by P.D. 94-330

PROPERTY SIZE: 3.00 Acres

13. **CASE NUMBER:** **P.D. 94-330**

DEVELOPMENT NAME: **I-40/GERMANTOWN PARKWAY PLANNED DEVELOPMENT**

LOCATION: South side of U.S. Highway 64; \pm 3,208 feet east of Germantown Parkway

APPLICANT: Wolfchase Hotel Associates, LLC

REPRESENTATIVE: E.T.I. Corporation

EXISTING ZONING: Currently governed by P.D. 94-330

REQUEST: Add an integrated center sign to advertise a proposed Holiday Inn Hotel on New Brunswick Road as well as other future development within the planned development

PLANNED DEVELOPMENT CORRESPONDENCE APPLICATIONS

14. **CASE NUMBER:** **P.D. 00-304 CC**
- DEVELOPMENT NAME:** **CORDOVA RIDGE PLANNED DEVELOPMENT**
- LOCATION: East side of Houston Levee Road; ±843 feet south of Macon Road
- APPLICANT: McDonald's
- REPRESENTATIVE: Solomito Land Planning – Brenda Solomito
- EXISTING ZONING: Currently governed by P.D. 00-304 CC
- REQUEST: Site Plan Approval for a McDonald's Restaurant
- PROPERTY SIZE: .69 Acre
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15. **CASE NUMBER:** **P.D. 01-340**
- DEVELOPMENT NAME:** **PEABODY GREEN PLANNED DEVELOPMENT, PHASE 2**
- LOCATION: South side of Peabody Avenue and Peabody Cove
- APPLICANT: S. Berry Jones
- REPRESENTATIVE: S. Berry Jones
- EXISTING ZONING: Currently governed by P.D. 01-340
- REQUEST: Reduction of the front yard setback along Peabody Avenue from 30 feet to 20 feet to allow for the construction of front yard porches

PLANNED DEVELOPMENT CORRESPONDENCE APPLICATIONS

16. **CASE NUMBER:** **P.D. 02-326**
- DEVELOPMENT NAME:** **DEXTER WAY PLANNED DEVELOPMENT, PHASE 1, AREA A**
- LOCATION:** South side of Dexter Road; ±288 feet west of Dexter Woods Drive
- APPLICANT:** Quality Life, LLC
- REPRESENTATIVE:** Solomito Land Planning – Brenda Solomito
- EXISTING ZONING:** Currently governed by P.D. 02-326
- REQUEST:** Combine Lots 10A & 10B and add a private ingress/egress easement
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17. **CASE NUMBER:** **P.D. 04-312**
- DEVELOPMENT NAME:** **GALLERIA OF MEMPHIS PLANNED DEVELOPMENT, PHASE 10**
- LOCATION:** Southwest corner of Market Plaza Drive and Germantown Parkway
- APPLICANT:** Al Davidson
- REPRESENTATIVE:** The Reaves Firm
- EXISTING ZONING:** Currently governed by P.D. 04-312
- REQUEST:** (1) Revise LUCB Site Plan Approval Condition #4 to permit the Office of Planning & Development to approve attached and detached signs by written notification rather than re-recording the final plat; (2) Permit a diamond logo extending above the building parapet

PLANNED DEVELOPMENT CORRESPONDENCE APPLICATIONS

18. **CASE NUMBER:** **P.D. 04-322 CC**

DEVELOPMENT NAME: **BARRY FARMS PLANNED DEVELOPMENT**

LOCATION: West side of Hacks Cross Road; ±765 feet south of Lowrance Road

APPLICANT: Kenny Narvani

REPRESENTATIVE: Carmichael Johnson

EXISTING ZONING: Currently governed by P.D. 04-322 CC

REQUEST: Site Plan Approval for a Best Western Hotel including a variance to permit a maximum building height of 44 feet, 10 inches where a maximum building height of 20 feet is permitted

19. **CASE NUMBER:** **P.D. 05-301**

DEVELOPMENT NAME: **THE VILLAS OF SOULSVILLE PLANNED DEVELOPMENT**

LOCATION: West side of College Street; ±170 feet south of McLemore Avenue

APPLICANT: LeMoyne-Owen College, CDC

REPRESENTATIVE: Self Tucker Architects – James Murray

EXISTING ZONING: Currently governed by P.D. 05-301

REQUEST: Revised Site Plan for 13 lots for new single-family homes

PLANNED DEVELOPMENT CORRESPONDENCE APPLICATIONS

20. **CASE NUMBER:** **P.D. 06-349**

DEVELOPMENT NAME: **SHELBY RAIL SERVICE PLANNED DEVELOPMENT**

LOCATION: South side of Shelby Drive; ±96 feet east of Swinnea Road

APPLICANT: John & Kirk Tarver

REPRESENTATIVE: SR Consulting, LLC – Cindy Reaves

EXISTING ZONING: Currently governed by P.D. 06-349

REQUEST: (1) Increase the width of the landscaped area along Shelby Drive from 15 to 20 feet; (2) Remove the proposed gravel drive from the Outline Plan

1:00 P.M. AFTERNOON PUBLIC SESSION

Please fill out a speaker's card and hand it to an OPD staff member sitting behind the railing in the front of the chamber if you intend to address the Board in regard to any item found on today's Agenda. Cards may be found at the speakers podium and at the Sergeant At Arms table.

DEFERRED APPLICATION

21. **CASE NUMBER:** **U.V. 07-03**
- LOCATION:** South side of Southern Avenue; ±55 feet east of Minor Street
- APPLICANT:** John Frank Barton
- REPRESENTATIVE:** McCaskill & Associates, Inc.
- EXISTING ZONING:** Local Commercial (C-L) District
- REQUEST:** Use variation to allow motor vehicle wrecker service
- PROPERTY SIZE:** 0.32 Acre (13,939 sq. ft.)

NEW APPLICATIONS

22. **CASE NUMBER:** **P.D. 06-368**
- DEVELOPMENT NAME: **MEMPHIS THEOLOGICAL SEMINARY**
 PLANNED DEVELOPMENT
- LOCATION: Southeast corner of E. Parkway and Union Avenue
- APPLICANT: Memphis Theological Seminary
- REPRESENTATIVE: Solomito Land Planning – Brenda Solomito
- EXISTING ZONING: Duplex Residential (R-D) District
- REQUEST: A planned development to permit a college/university as an
 institutional campus with accessory structures
- PROPERTY SIZE: 6.49 Acres
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23. **CASE NUMBER:** **P.D. 07-308**
- DEVELOPMENT NAME: **CORDOVA THE TOWN PLANNED DEVELOPMENT**
- LOCATION: North side of Macon Road @ Town Centre Circle
- APPLICANT: Gill Development Company, Inc.
- REPRESENTATIVE: Ray Gill
- EXISTING ZONING: Light Commercial (C-L) District
 P.D. 94-301 (Cordova The Town Planned Development)
- REQUEST: To amend conditions for approval for Area A to permit a
 restaurant that serves alcoholic beverages
- PROPERTY SIZE: 0.39 Acre

NEW APPLICATIONS

24. **CASE NUMBER:** **P.D. 07-309**

DEVELOPMENT NAME: **TWO RIVERS PLANNED DEVELOPMENT**

LOCATION: Southeast corner of Island Drive and Auction Avenue

APPLICANT: Island Property Associates

REPRESENTATIVE: Ronald Harkavy

EXISTING ZONING: Part of Area A of the Harbortown Planned Development (P.D. 88-347) and Multiple Dwelling Residential (R-MM)

REQUEST: A maximum of 17 Lots for Single Family Residential Use

PROPERTY SIZE: 2.80 Acres

25. **CASE NUMBER:** **P.D. 07-310**

DEVELOPMENT NAME: **FRAYSER BUSINESS CENTER PLANNED DEVELOPMENT**

LOCATION: East side of N. Thomas St., bordering southeast side of Canadian National RR

APPLICANT: Steven L. Williamson (dba. Memphis Wrecking Company)

REPRESENTATIVE: Homer Branan

EXISTING ZONING: Single Family Residential (R-S6) and Highway Commercial (C-H) Districts

REQUEST: Phase 1: Landfill (Class IV facility for construction/demolition waste and similar material;
Phase II: Redevelopment with commercial uses

PROPERTY SIZE: 28.4 Acres

NEW APPLICATIONS

26. **CASE NUMBER:** **Z 07-103**

LOCATION: Western terminus of Wabash Avenue; ±685.32 feet west of Castalia Street

APPLICANT: Cornerstone Real Estate

REPRESENTATIVE: SR Consulting, LLC – Cindy Reaves

EXISTING ZONING: Light Industrial (I-L) District

REQUEST: Multiple Dwelling Residential (R-ML) District

PROPERTY SIZE: 3.868 Acres

27. **CASE NUMBER:** **Z 07-104**

LOCATION: Southeast corner of Whitebrook Drive and Old Getwell Road

APPLICANT: Najib Makerem

REPRESENTATIVE: Larry Fleming

EXISTING ZONING: Highway Commercial (C-H) District with Airport Height Restriction Overlay (AHR) District

REQUEST: Multiple Dwelling Residential (R-MM) District

PROPERTY SIZE: 3.87 Acres

NEW APPLICATIONS

28. **CASE NUMBER:** **Z 07-105**

LOCATION: East side of Elvis Presley Boulevard; ±290 feet north of
Laudeen Drive

APPLICANT: William C. Pilot

REPRESENTATIVE: Royston Construction Consultants

EXISTING ZONING: Single Family Residential (R-S10) District

REQUEST: General Office (O-G) District

PROPERTY SIZE: 0.27 Acre (11,760 sq. ft.)

29. **CASE NUMBER:** **Z 07-107**

LOCATION: South side of Shelby Drive; ±1,030 feet west of Tchulahoma
Road

APPLICANT: Nathanial Partee

REPRESENTATIVE: Lorenzo Lester

EXISTING ZONING: Single Family Residential (R-S8) District

REQUEST: Light Industrial (I-L) District

PROPERTY SIZE: 2.0 Acres

NEW APPLICATIONS

30. **CASE NUMBER:** **U.V. 07-02 CC**
- LOCATION:** Northwest corner of Collierville-Arlington Road and
 Monterey Road
- APPLICANT:** JVB Family Limited Partnership-John V. & Rebecca A.
 Barton
- REPRESENTATIVE:** Solomito Land Planning – Brenda Solomito
- EXISTING ZONING:** Agricultural (AG) District
- REQUEST:** Use variation to allow an Art Gallery with Sign and a Farm
 Management Office, including a Barn Expansion
- PROPERTY SIZE:** 2.03 Acres